

of the Sheriffs. Of these, eighteen paid up the penalty at the time of settlement. Against the others, judgments have been taken in the Superior Court of Wake county. In relation to these fines, the Act precluded the exercise of any discretion on the part of the officer of this Department; and hence they have been rigidly enforced in every instance where they were incurred. It is believed however, from the knowledge possessed here, of the promptness and integrity of these officers generally, and especially of those who readily di-charged the penalty, and from other evidence furnished by themselves and by the clerks, that there did not exist, in a single instance, such an attempt at fraud, or even such a degree of negligence, as it was the design of the framers of that law to punish. Many of these delinquencies resulted, no doubt, from the fact that in many counties in the State, the County Court which precedes the settlement here, and at which the return and affidavit mentioned in the Act of Assembly are required to be made, takes place earlier than it is usual, even to commence the collection of the taxes in those counties. In several, the Courts are held during the first and second weeks in the month of July, when a strict compliance with this act might result, were there no other incentive to duty, in the entire loss to the State, of the whole amount of this species of tax. Would not the restraint intended operate with more efficacy, were the Clerk authorized, either by himself, or before one or more Justices of the Peace, to receive the list and affidavit, otherwise than in open Court?

In the last annual report of the Public Treasurer, it was stated that the money due at this office, for the use of the Tuskarora Indians, had been all collected, and remained in the Treasury, subject to the order of that tribe of Indians. They were informed of the terms upon which they might receive it. Since that time, upon their complying with the requisitions contained in the fourth section of the Act of 1828, Chap. 19, entitled "an Act concerning the lands formerly occupied by the Tuskarora tribe of Indians, lying in Bertie county, on the north side of Roanoke river," by executing to the State such a release as is therein directed, the whole amount, \$ 3,220 71 $\frac{1}{4}$, has been paid over to their agent, the Hon. Bates Cooke. His receipt for the money, with an attested power of attorney attached, has been passed to the Comptroller's office as a voucher; and the deed of release, executed by the "Chiefs or Head Men" of the tribe, and authenticated by a high judicial officer, and the Chief Executive of the State of New York, deposited with the Secretary of State, by him recorded, and placed on the proper file in that office.

The balance which remained unpaid of the last subscription of the State, for stock in the Roanoke Navigation Company, and which that Company, for a long time, declined receiving, on the ground